



# Telecommunications Act 1984

## 1984 CHAPTER 12

### PART II

#### PROVISION OF TELECOMMUNICATION SERVICES

##### *Approvals etc. for the purposes of licences*

#### **20 Approval of contractors.**

- (1) Where licences granted under section 7 above include provisions which are framed by reference to the carrying out of relevant operations by persons for the time being approved under this section then, for the purposes of those provisions, persons may be approved under this section in relation to such operations—
  - (a) by the Secretary of State; or
  - (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Director.
- (2) A person applying for an approval under this section may be required by the person to whom the application is made to comply with such requirements as the person to whom the application is made may think appropriate; and those requirements may include a requirement to satisfy some other person with respect to any matter.
- (3) An approval under this section may apply either to a particular person or to persons of a description specified in the approval, and may so apply either in relation to particular relevant operations or in relation to relevant operations of a description so specified.
- (4) An approval under this section may specify conditions which must be complied with if the approval is to apply, for any purposes specified in the approval, to any person who is so specified or is of a description so specified; and any such condition may impose on the person to whom the approval is given a requirement from time to time to satisfy any person with respect to any matter.
- (5) Nothing in this section shall preclude a person (not being the Secretary of State or the Director) by whom any matter falls to be determined for the purposes of any

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requirement imposed in pursuance of subsection (2) or (4) above from charging any fee in respect of the carrying out of any test or other assessment made by him.

- (6) Any power conferred by this section to give an approval includes power to vary or withdraw an approval given in exercise of that power.
- (7) The Secretary of State shall send to the Director—
  - (a) a copy of every approval given by him under this section; and
  - (b) particulars of every variation or withdrawal of an approval so given.
- (8) The Secretary of State may by order provide for the charging of fees in respect of the exercise of any functions conferred by or under this section.
- (9) Any sums received by the Secretary of State or the Director under this section shall be paid into the Consolidated Fund.
- (10) In this section “relevant operations” means the installation, maintenance, adjustment, repair, alteration, moving, removal or replacement of apparatus which is or is to be connected to any telecommunication system to which a licence under section 7 above relates.

## **21 Register of approved contractors.**

- (1) The Director shall keep a register of approvals given under section 20 above at such premises and in such form as he may determine.
- (2) The Director shall cause particulars of every such approval, and of every variation or withdrawal of such an approval, to be entered in the register.
- (3) Subsections (4) to (6) of section 19 above shall apply for the purposes of this section as they apply for the purposes of that section.

## **22 Approval etc. of apparatus.**

- (1) Where licences granted under section 7 above include provisions which are framed by reference to apparatus for the time being approved under this section for connection to telecommunication systems to which the licences relate, then, for the purposes of those provisions, apparatus may be approved for connection to those systems—
  - (a) by the Secretary of State; or
  - (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Director.
- (2) A person applying for an approval under this section may be required by the person to whom the application is made to comply with such requirements as the person to whom the application is made may think appropriate; and those requirements may include a requirement to satisfy some other person with respect to any matter.
- (3) An approval under this section may apply either to particular apparatus or to any apparatus of a description specified in the approval, and may so apply either for the purposes of a particular telecommunication system or for the purposes of any telecommunication system of a description so specified.
- (4) An approval under this section may specify conditions which must be complied with if the approval is to apply, for any purposes specified in the approval, to any apparatus which is so specified or is of a description so specified; and any such condition may

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impose on the person to whom the approval is given a requirement from time to time to satisfy any person with respect to any matter.

- (5) Nothing in this section shall preclude a person (not being the Secretary of State or the Director) by whom any matter falls to be determined for the purposes of any requirement imposed in pursuance of subsection (2) or (4) above from charging any fee in respect of the carrying out of any test or other assessment made by him.
- (6) Standards to which apparatus of a description specified in the designation must conform if it is to be approved for connection to a telecommunication system so specified or of a description so specified may be designated—
  - (a) by the Secretary of State; or
  - (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Director;and a standard so designated may apply subject to such exceptions as may be determined by or under the designation.
- (7) A designation under this section may specify conditions which must be complied with if any apparatus of a description specified in the designation is to be regarded, for any purposes so specified, as conforming to the standard to which the designation relates.
- (8) Before designating a standard under this section, the Secretary of State or the Director shall give notice—
  - (a) stating that he proposes to make the designation and setting out its effect;
  - (b) stating any conditions which he proposes to specify in the designation; and
  - (c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed designation may be made,and shall consider any representations or objections which are duly made and not withdrawn.
- (9) A notice under subsection (8) above shall be given by sending a copy of the notice to the person running the system and such other persons (if any) as the Secretary of State or the Director considers appropriate.
- (10) Any power conferred by this section to give an approval or designate a standard includes power to vary or withdraw an approval given or designation made in the exercise of that power.
- (11) The Secretary of State shall send to the Director—
  - (a) a copy of every approval given or designation made by him under this section; and
  - (b) particulars of every variation or withdrawal of an approval so given or a designation so made,except where it appears to him requisite or expedient not to do so in the interests of national security.
- (12) The Secretary of State may by order provide for the charging of fees in respect of the exercise of any functions conferred by or under this section.
- (13) Any sums received by the Secretary of State or the Director under this section shall be paid into the Consolidated Fund.

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### **23 Register of approved apparatus etc.**

- (1) The Director shall keep a register of approvals given and designations made under section 22 above at such premises and in such form as he may determine.
- (2) Subject to subsection (3) below and to any direction given under subsection (4) below, the Director shall cause particulars of every such approval or designation, and of every variation or withdrawal of such an approval or designation, to be entered in the register.
- (3) The Director shall not enter in the register particulars of—
  - (a) any approval given or designation made by the Secretary of State under section 22 above a copy of which is not sent to the Director under subsection (11) of that section; or
  - (b) any variation or withdrawal of an approval so given or a designation so made particulars of which are not so sent.
- (4) Subsections (3) to (6) of section 19 above shall apply for the purposes of this section as they apply for the purposes of that section.

### **24 Approval etc. of meters.**

- (1) Where licences granted under section 7 above include provisions which are framed by reference to meters for the time being approved under this section for use in connection with telecommunication systems to which the licences relate, then, for the purposes of those provisions, meters may be approved for use in connection with those systems—
  - (a) by the Secretary of State; or
  - (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Director.
- (2) A person applying for an approval under this section may be required by the person to whom the application is made to comply with such requirements as the person to whom the application is made may think appropriate; and those requirements may include a requirement to satisfy some other person with respect to any matter.
- (3) An approval under this section may apply either to a particular meter or to any meter of a description specified in the approval, and may so apply either for the purposes of a particular telecommunication system or for the purposes of any telecommunication system of a description so specified.
- (4) An approval under this section may specify conditions which must be complied with if the approval is to apply, for any purpose specified in the approval, to any meter which is so specified or is of a description so specified; and any such condition may impose on the person to whom the approval is given a requirement from time to time to satisfy any person with respect to any matter.
- (5) Nothing in this section shall preclude a person (not being the Secretary of State or the Director) by whom any matter falls to be determined for the purposes of any requirement imposed in pursuance of subsection (2) or (4) above from charging any fee in respect of the carrying out of any test or other assessment made by him.
- (6) Standards to which any meter of a description specified in the designation must conform if it is to be approved for use in connection with a telecommunication system so specified or of a description so specified may be designated—
  - (a) by the Secretary of State; or

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- (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Director;and a standard so designated may apply subject to such exceptions as may be determined by or under the designation.
- (7) A designation under this section may specify conditions which must be complied with if any meter of a description specified in the designation is to be regarded, for any purposes so specified, as conforming to the standard to which the designation relates.
- (8) A meter shall not be approved under this section for use in connection with any telecommunication system unless either—
  - (a) the meter conforms to a standard designated under this section which applies to it for the purposes of that system; or
  - (b) the Secretary of State or the Director is satisfied that, if used in connection with that system in accordance with the approval, the meter would be sufficiently accurate and reliable.
- (9) Before giving an approval under this section by virtue of subsection (8)(b) above or designating a standard under this section, the Secretary of State or the Director shall give notice—
  - (a) stating that he proposes to give the approval or make the designation and setting out its effect;
  - (b) stating any conditions which he proposes to specify in the approval or designation; and
  - (c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed approval or designation may be made,and shall consider any representations or objections which are duly made and not withdrawn.
- (10) A notice under subsection (9) above shall be given by sending a copy of the notice—
  - (a) in the case of an approval, to the person applying for the approval;
  - (b) in the case of a designation, to the person running the system,and (in either case) to such other persons (if any) as the Secretary of State or the Director considers appropriate.
- (11) Any power conferred by this section to give an approval or designate a standard includes power to vary or withdraw an approval given or designation made in the exercise of that power.
- (12) The Secretary of State shall send to the Director—
  - (a) a copy of every approval given or designation made by him under this section; and
  - (b) particulars of every variation or withdrawal of an approval so given or a designation so made.
- (13) The Secretary of State may by order provide for the charging of fees in respect of the exercise of any functions conferred by or under this section.
- (14) Any sums received by the Secretary of State or the Director under this section shall be paid into the Consolidated Fund.

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- (15) In this section “meter” means any system or apparatus constructed or adapted for use in ascertaining the extent of telecommunication services provided by means of a telecommunication system.

**25 Delegation of functions under sections 22 and 24.**

- (1) The functions conferred on the Secretary of State by sections 22 and 24 above (other than the powers to make orders) shall be exercisable by any person appointed by the Secretary of State for the purpose to such extent and subject to such conditions as may be specified in the appointment; and an appointment under this section may authorise the person appointed to retain any fees received by him.
- (2) Before appointing any person under this section, the Secretary of State shall consult with the persons running the telecommunication systems concerned, or with such organisations as appear to the Secretary of State to be representative of those persons.

**26 Grants and loans to persons exercising certain functions.**

- (1) The Secretary of State may, with the approval of the Treasury, make grants or loans—
- (a) to persons by whom any matter falls to be determined for the purposes of any requirement imposed in pursuance of subsection (2) or (4) of section 20, 22 or 24 above; or
  - (b) to persons appointed under section 25 above.
- (2) Any loans under this section shall be repaid to the Secretary of State at such times and by such methods and interest thereon shall be paid to him at such rates and at such times as he may, with the approval of the Treasury, from time to time direct.
- (3) There shall be paid out of money provided by Parliament any sums required by the Secretary of State for making grants or loans under this section.
- (4) Any sums received by the Secretary of State under subsection (2) above shall be paid into the Consolidated Fund.

**27 Recognition of bodies representing consumers etc.**

- (1) Where licences granted under section 7 above include provisions which are framed by reference to bodies for the time being recognised under this section to be representing the interests of consumers, purchasers and other users of telecommunication services provided by means of, or telecommunication apparatus connected to, telecommunication systems to which the licences relate, then, for the purposes of those provisions, bodies may be so recognised by the Secretary of State.
- (2) A recognition under this section may apply either to a particular body or to bodies of a description specified in the recognition, and may so apply either for the purposes of a particular telecommunication system or for the purposes of any telecommunication system of a description so specified.
- (3) The Secretary of State may pay such allowances as he may determine to members of a body recognised by him under this section, and may pay such expenses of a body so recognised as he may determine.
- (4) Any power conferred by this section to give a recognition includes power to withdraw a recognition given in the exercise of that power.

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- (5) There shall be paid out of money provided by Parliament any sums required by the Secretary of State for making payments under this section.

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